

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

In Re:)	Case No:	18-24473
Timothy Ouimet)		
Elaine Aurora Ouimet)	Chapter:	Chapter 13
Debtors)		
)	Judge:	Timothy A. Barnes

NOTICE OF MOTION

To: Timothy & Elaine Ouimet, 10400 S Michael Dr., Palos Hills, IL, 60465

Marilyn O. Marshall, 224 S. Michigan Ave. #800, Chicago, IL, 60604

Office of the US Trustee, 219 S. Dearborn, Suite 873, Chicago, IL 60604

SEE ATTACHED SERVICE LIST OF ALL CREDITORS

PLEASE TAKE NOTICE that on **August 1, 2019 at 09:30 a.m.** I shall appear before the Honorable Judge **Timothy A. Barnes** at 219 S. Dearborn, Courtroom 744, Chicago IL 60604 and then and there present the attached **MOTION TO MODIFY CONFIRMED PLAN**, a copy of which is attached hereto.

By: /s/ Dale Riley
Dale Riley

CERTIFICATE OF SERVICE

I, Dale Riley, hereby certify that I served a copy of this Notice along with the aforementioned document upon the above parties, by causing the same to be mailed in a properly addressed envelope, postage prepaid, for 55 E. Monroe, Suite 3400, Chicago, Illinois, on 7/11/2019.

By: /s/Dale Riley
Dale Riley

Attorneys for the Debtors

Geraci Law L.L.C.

55 E. Monroe Street #3400

Chicago, Illinois 60603

(Ph): 312.332.1800 (Fax): 877.247.1960

Affirm INC
Attn: Bankruptcy Dept.
650 California St Fl 12
San Francisco CA 94108

First Premier BANK
Attn: Bankruptcy Dept.
601 S Minnesota Ave
Sioux Falls SD 57104

Synco/Walmart
Attn: Bankruptcy Dept.
Po Box 965024
Orlando FL 32896

AMEX
Attn: Bankruptcy Dept.
Po Box 297871
Fort Lauderdale FL 33329

Infiniti FIN SVCS
Attn: Bankruptcy Dept.
990 W 190Th St
Torrance CA 90502

Synchrony BANK
C/O Midland Funding
2365 Northside Dr Ste 30
San Diego CA 92108

Capital One
Attn: Bankruptcy Dept.
26525 N Riverwoods Blvd
Mettawa IL 60045

Infiniti FIN SVCS
Attn: Bankruptcy Dept.
990 W 190Th St
Torrance CA 90502

WF BANK NA
Attn: Bankruptcy Dept.
Po Box 14517
Des Moines IA 50306

Chase AUTO
Attn: Bankruptcy Dept.
Po Box 901003
Ft Worth TX 76101

Illinois Corporation Service
Registered Agent For Infiniti FIN SVCS
Attn: Bankruptcy Department
801 Adlai Stevenson Drive
Springfield IL 62703

Chase Bank
Bankruptcy Department
PO Box 15298
Wilmington DE 19850

Merrick BANK CORP
Attn: Bankruptcy Dept.
Po Box 9201
Old Bethpage NY 11804

Chase CARD
Attn: Bankruptcy Dept.
Po Box 15298
Wilmington DE 19850

Mohela/DEPT OF ED
Attn: Bankruptcy Dept.
633 Spirit Dr
Chesterfield MO 63005

COMENITY BANK/Carsons
Attn: Bankruptcy Dept.
Po Box 182789
Columbus OH 43218

Navient
Attn: Bankruptcy Dept.
Po Box 9655
Wilkes Barre PA 18773

COMENITY BANK/Roomplce
Attn: Bankruptcy Dept.
Po Box 182789
Columbus OH 43218

Navient Solutions INC
Attn: Bankruptcy Dept.
11100 Usa Pkwy
Fishers IN 46037

Comenity Capital BANK
C/O Midland Funding
2365 Northside Dr Ste 30
San Diego CA 92108

Onemain
Attn: Bankruptcy Dept.
Po Box 1010
Evansville IN 47706

Comenitycb/Zales
Attn: Bankruptcy Dept.
Po Box 182120
Columbus OH 43218

Clerk, Fifth Mun. Div.
Bankruptcy Dept.
10220 S. 76th Ave., #121
Bridgeview IL 60455

Credit ONE BANK NA
Attn: Bankruptcy Dept.
Po Box 98875
Las Vegas NV 89193

Bruckert Gruenke Long PC
Bankruptcy Department
201 East Hanover
Highland IL 62249

DEPT OF ED/Navient
Attn: Bankruptcy Dept.
Po Box 9635
Wilkes Barre PA 18773

Speedycash.Com 161-II
C/O AD Astra Recovery SERV
7330 W 33Rd St N Ste 118
Wichita KS 67205

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

In Re: Timothy Ouimet Elaine Aurora Ouimet Debtors)))))	Case No: 18-24473 Chapter: Chapter 13 Judge: Timothy A. Barnes
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MOTION TO MODIFY CONFIRMED PLAN

NOW COME the Debtors, Mr. & Mrs. Timothy Ouimet (the “Debtors”), by and through their attorneys, Geraci Law L.L.C., to present their **MOTION TO MODIFY CONFIRMED PLAN**, and state as follows:

1. This Court has jurisdiction over this proceeding pursuant to 28 U.S.C. 1334 and this is a “core proceeding” under 28 U.S.C. 157(b)(2).
2. The Debtors filed their Petition for Relief and plan under Chapter 13 of the U.S. Bankruptcy Act on 08/30/2018.
3. The Debtors’ plan was confirmed by the Court on 11/15/2018, including a provision requiring the Debtors to turn their federal tax refund in excess of \$1,200 over to the Trustee as additional payments into the plan.
4. The Debtors owe the Trustee \$7,625 from their 2018 tax refund.
5. The Debtors owe \$3,487.52 in post-petition medical and dental bills that they are unable to afford while also maintaining their Chapter 13 plan payments without using their tax refund.
6. The Debtors are unable to cure the default.
7. For the reasons stated above, it is necessary for the successful completion of the Debtors’ plan to permit the Debtors to keep an additional \$2,287.52 of their 2018 tax

plan term.

WHEREFORE THE DEBTORS, Mr. & Mrs. Timothy Ouimet, respectfully request this

Honorable Court enter an order:

1. Permitting the Debtors to keep a total of \$3,487.52 of their 2018 tax refund,
2. Deferring arrears to the end of the plan term,
3. Any other relief the court deems proper.

By: /s/ Dale Riley
Dale Riley

Attorneys for the Debtors

Geraci Law L.L.C.

55 E. Monroe Street #3400

Chicago, Illinois 60603

(Ph): 312.332.1800 (Fax): 877.247.1960